

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WARREN DURHAM JR.,)	CIVIL ACTION
Plaintiff)	NO. 02-82 ERIE
V.)	
)	District Judge Cohill
JAMES D. WASHBURN,)	Magistrate Judge Baxter
ET AL.)	
Defendants.)	

**PLAINTIFF'S OBJECTION TO DEFENDANT'S
MOTION TO DISMISS PURSUANT TO RULE 12(b)(6)**

COMES NOW, Warren Durham Jr., Plaintiff moving pro se and files the following Objection to Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6), and in support thereof states as follows:

1. Disagree.
2. Disagree.
3. Disagree.
4. Disagree.
5. Disagree.
6. Disagree.
7. Disagree.

WHEREFORE, the Plaintiff respectfully request that this action move forward.

**II. OBJECTION TO MOTION TO DISMISS PURSUANT
TO RULE 12(B) AND 12(b)(5)**

1. Agreed.
2. Disagree. The Plaintiff shall motion the Court for Counsel to Defendant West End Auto Body, Inc. ("West End") to provide him with discovery of Defendants Christopher Strong and Julie A. Grehl.

WHEREFORE, the Plaintiff respectfully request that this action move forward against all

names Defendants.

Respectfully submitted,

Warren Durham Jr.
WARREN DURHAM JR.,

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

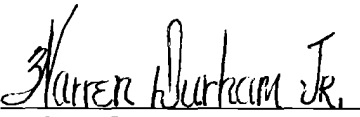
WARREN DURHAM JR.,)	CIVIL ACTION
Plaintiff)	NO. 02-82 ERIE
V.)	
)	District Judge Cohill
JAMES D. WASHBURN,)	Magistrate Judge Baxter
ET AL.)	
Defendants.)	

CERTIFICATE OF SERVICE

I, Warren Durham Jr., hereby verify that I have mailed a true and correct copy of Plaintiff's Objection to Defendant's Motion to Dismiss Pursuant to Rule 12(b)(4); 12(b)(5) and 12(b)(6) to the persons named below by FIRST CLASS MAIL, postage prepaid:

David G. Ridge, Esq.
246 West Tenth Street
Erie, Pa. 16501

Gerald J. Villella, Esq.
626 State Street
Erie, Pa. 16501


WARREN DURHAM JR.
12119 MATHERSON AVE.
CLEVELAND, OH. 44135

DATED: 9/9/05